Notice of Allowability	Application No. 09/658,016	Applicant(s) SIMONE ET AL.
	Examiner Tony Mahmoudi	Art Unit 2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the Appeal brief filed on 17-August-2004, and communications on 23-September-2004*.

2. ☒ The allowed claim(s) is/are *1-14*.

3. ☒ The drawings filed on *08 September 2000* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/18/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *09/23/04* .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

C. Rones

CHARLES RONES
PRIMARY EXAMINER

DETAILED ACTION

Remarks

1. In response to the Appeal Brief filed on 17-August-2004, claims 1-14 are pending in the application.

2. In view of the examiner's amendment, authorized by the Attorney of Record, claims 1-7 are amended (details provided below.)

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Kurt M. Pankratz (Attorney of Record) on 23-September-2004 (see enclosed Interview Summary, dated 23-September-2004.)

The claims have been amended as follows. A new listing of the claims is provided in this Office Action (in paragraph 6), following the Reasons for Allowance:

1. **(Currently Amended)** A computer implemented method, comprising the steps of:

providing a set of predetermined function definitions; and

executing a computer program to prepare [preparing] a project definition, said project definition including:

a plurality of function portions which each correspond to one of said function definitions in said set, and which each define at least one input port and at least one output port that are functionally related according to the corresponding function definition, one of said function portions also defining a control port which is functionally related to said input and output ports thereof according to the corresponding function definition, said one function portion being configured to process image information according to the corresponding function definition in a manner which varies under control of information at said control port;

a further portion which includes a source portion identifying a data source and defining an output port through which data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which data can be supplied to the data destination;

information which includes a definition of control information for said control port of said one function portion; and

binding information which includes binding portions that each associate a respective said input port with one of said output ports;

wherein said preparing step includes the step of preparing said one function portion for inclusion in said project definition by permitting interactive user adjustment of working information which will become said control information, while simultaneously

displaying a sample image processed according to the function definition corresponding to said one function portion as characterized by the current state of the working information.

2. **(Currently Amended)** A computer implemented method according to Claim 1, wherein said step of providing said set of said function definitions includes the step of including in said set a selected function definition which can add to an image a specified effect having characteristics determined by control input supplied to said selected function definition; and

wherein said step of preparing said one function portion includes the step of indicating that said one function portion corresponds to said selected function definition, said control information of said one function portion being provided for use as the control input for said selected function definition.

3. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a bevel function definition for which said specified effect is the addition to an image of a bevel effect leaving characteristics determined by the control input to said bevel function definition.

4. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a blur function definition for which

said specified effect is the addition to an image of a blurring effect having characteristics determined by the control input to said blur function definition.

5. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a tint function definition for which said specified effect is the addition to an image of a tint effect having characteristics determined by the control input to said tint function definition.

6. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition an image adding function definition for which said specified effect is the addition to an image of a further image having characteristics determined by the control input to said image adding function definition.

7. **(Currently Amended)** A commuter implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a text adding function definition for which said specified effect is the addition to an image of a text: string haring characteristics determined by the control input to said text adding function definition.

Allowance

4. Claims 1-14 are allowed over the prior art made of record.

5. The following is an examiner's statement of reasons for allowance:

The arguments presented in the Appeal Brief, filed on 17-August-2004 have been fully considered and are found persuasive. In addition, the Examiner's Amendment, authorized by the attorney of record, overcomes the 35 U.S.C. 101 issues with the independent claim 1 and its dependent claims (claims 2-7.)

The prior art of record, Penn (U.S. Patent No. 5,848,198), Wise et al (U.S. Patent No. 6,6,130,676), and Marcus (U.S. Patent No. 5,481,668), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

information which includes a definition of control information for said control port of said one function portion; and

binding information which includes binding portions that each associate a respective said input port with one of said output ports;

wherein said preparing step includes the step of preparing said one function portion for inclusion in said project definition by permitting interactive user adjustment of working information which will become said control information, while simultaneously displaying a sample image processed according to the function definition corresponding to said one function portion as characterized by the current state of the working information, as claimed in independent claim 1.

Claims 2-7 are allowed over the prior art made of record because they are dependents from the allowed independent claim 1.

The prior art of record, Penn (U.S. Patent No. 5,848,198), Wise et al (U.S. Patent No. 6,6,130,676), and Marcus (U.S. Patent No. 5,481,668), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

information which includes a definition of control information for said control port of said one function portion; and

binding information which includes binding portions that each associate a respective said input port with one of said output ports;

said program being further operable when executed to carry out the preparation of said one function portion in a manner which includes permitting interactive user adjustment of working information which will become said control information, while simultaneously displaying a sample image processed according to the function definition corresponding to said one function portion as characterized by the current state of the working information, as claimed in independent claim 8.

Claims 9-14 are allowed over the prior art made of record because they are dependents from the allowed independent claim 8.

Listing of the Claims

6. The following is a listing of the claims, as amended by the examiner. This listing of claims will replace all prior versions, and listings of claims in the Application:

1. **(Currently Amended)** A computer implemented method, comprising the steps of:

providing a set of predetermined function definitions; and

executing a computer program to prepare [preparing] a project definition, said project definition including:

a plurality of function portions which each correspond to one of said function definitions in said set, and which each define at least one input port and at least one output port that are functionally related according to the corresponding function definition, one of said function portions also defining a control port which is functionally related to said input and output ports thereof according to the corresponding function definition, said one function portion being configured to process image information according to the corresponding function definition in a manner which varies under control of information at said control port;

a further portion which includes a source portion identifying a data source and defining an output port through which data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which data can be supplied to the data destination;

information which includes a definition of control information for said control port of said one function portion; and

binding information which includes binding portions that each associate a respective said input port with one of said output ports;

wherein said preparing step includes the step of preparing said one function portion for inclusion in said project definition by permitting interactive user adjustment of working information which will become said control information, while simultaneously displaying a sample image processed according to the function definition corresponding to said one function portion as characterized by the current state of the working information.

2. **(Currently Amended)** A computer implemented method according to Claim 1,

wherein said step of providing said set of said function definitions includes the step of including in said set a selected function definition which can add to an image a specified effect having characteristics determined by control input supplied to said selected function definition; and

wherein said step of preparing said one function portion includes the step of indicating that said one function portion corresponds to said selected function definition, said control information of said one function portion being provided for use as the control input for said selected function definition.

3. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a bevel function definition for which

said specified effect is the addition to an image of a bevel effect leaving characteristics determined by the control input to said bevel function definition.

4. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a blur function definition for which said specified effect is the addition to an image of a blurring effect having characteristics determined by the control input to said blur function definition.

5. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition a tint function definition for which said specified effect is the addition to an image of a tint effect having characteristics determined by the control input to said tint function definition.

6. **(Currently Amended)** A computer implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the step of selecting as said selected function definition an image adding function definition for which said specified effect is the addition to an image of a further image having characteristics determined by the control input to said image adding function definition.

7. **(Currently Amended)** A commuter implemented method according to Claim 2, wherein said step of including said selected function definition in said set includes the

step of selecting as said selected function definition a text adding function definition for which said specified effect is the addition to an image of a text: string haring characteristics determined by the control input to said text adding function definition.

8. (Previously Amended) A computer-readable medium encoded with a computer program which recognizes a set of predetermined function definitions; said program being operable when executed to facilitate preparation of a project definition which includes:

a plurality of function portions which each correspond to one of said function definitions in said set, and which each define at least one input port and at least one output port that are functionally related according to the corresponding function definition, one of said function portions also defining a control port which is functionally related to said input and output ports thereof according to the corresponding function definition, said one function portion being configured to process image information according to the corresponding function definition in a manner which varies under control of information at said control port;

a further portion which includes a source portion identifying a data source and defining an output port through which data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which data can be supplied to the data destination;

information which includes a definition of control information for said control port of said one function portion; and

binding information which includes binding portions that each associate a respective said input port with one of said output ports;

said program being further operable when executed to carry out the preparation of said one function portion in a manner which includes permitting interactive user adjustment of working information which will become said control information, while simultaneously displaying a sample image processed according to the function definition corresponding to said one function portion as characterized by the current state of the working information.

9. (Original) A computer-readable medium according to Claim $, wherein said program is operable when executed to:

recognize that said set of said function definitions includes a selected function definition which can add to an image a specified effect having characteristics determined by control input supplied to said selected function definition; and

carry out said preparation of said one function portion in a manner which includes indicating that said one function portion corresponds to said selected function definition, said control information of said one function portion being provided for use as the control input for said selected function definition.

10. (Original) A computer-readable medium according to Claim 9, wherein said program is operable when executed to recognize as said selected function definition a bevel function definition for which said specified effect is the addition to an image of a

bevel effect having characteristics determined by the control input to said bevel function definition.

11. (Original) A computer-readable medium according to Claim 9, wherein said program is operable when executed to recognize as said selected function definition a blur function definition for which said specified effect is the addition to an image of a blurring effect having characteristics determined by the control input to said blur function definition.

12. (Original) A computer-readable medium according to Claim 9, wherein said program is operable when executed to recognize as said selected function definition a tint function definition for which said specified effect is the addition to an image of a tint effect having characteristics determined by the control input to said tint function definition.

13. (Original) A computer-readable medium according to Claim 9, wherein said program is operable when executed to recognize as said selected function definition an image adding function definition for which said specified effect is the addition to an image of a further image having characteristics determined by the control input to said image adding function definition.

14. (Original) A computer-readable medium according to Claim 9, wherein said program is operable when executed to recognize as said selected function definition a text

adding function definition for which said specified effect is the addition to an image of a text sting having characteristics determined by the control input to said text adding function definition.

Conclusion

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

September 24, 2004

CHARLES RONES
PRIMARY EXAMINER